

WAKE COUNTY
NORTH CAROLINA



17211

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
98 BSR 1

IN RE: REINSTATEMENT PETITION OF
N. JEROME WILLINGHAM, Attorney,

ORDER OF REINSTATEMENT

THIS MATTER is before the Secretary of the North Carolina State Bar pursuant to a petition for reinstatement filed by N. Jerome Willingham on April 9, 1998.

Based on a review of the records of the North Carolina State Bar, the Secretary makes the following:

FINDINGS OF FACT

1. N. Jerome Willingham (hereafter "Willingham") was admitted to the North Carolina State Bar on March 23, 1990.
2. On July 27, 1994, a disciplinary complaint was filed against Willingham by the North Carolina State Bar, alleging multiple violations of the Rules of Professional Conduct, 94 DHC 12.
3. An order of discipline was entered by the chair of the hearing committee on March 16, 1995. The order was served on Willingham on April 6, 1995. Pursuant to the order of discipline, Willingham was suspended from the practice of law for three years.
4. On September 4, 1996, Willingham filed a petition requesting reinstatement alleging that he had complied with certain conditions pursuant to which the order of discipline could be stayed, file number 96 BSR 2.

5. On September 27th, 1996, the North Carolina State Bar filed a response objecting to the stay.
6. On December 2, 1996, a hearing committee of the Disciplinary Hearing Commission entered an order which found that Willingham had failed to comply with the conditions set forth in Rule .0125(b)(3) of the Discipline and Disability Rules of the North Carolina State Bar, and therefore denied the stay.
7. On April 9, 1998, Willingham filed a petition for reinstatement in this matter in which he verified:
 - a. Petitioner has complied with all applicable rules and regulations of the North Carolina State Bar;
 - b. Petitioner has complied with all applicable orders of the commission and the council;
 - c. Petitioner has abstained from the unauthorized practice of law during the period of suspension; and
 - d. Petitioner has abstained from conduct during the period of suspension constituting grounds for discipline under G.S. 84-28(b).
8. After conducting necessary investigation regarding petitioner's compliance with the requirements set out in 27 NC ADMIN CODE CHAPTER 1 SUBCHAPTER B § .0125, the North Carolina State Bar filed a response and objection to Willingham's petition for reinstatement in this matter on May 8, 1998 alleging that Willingham had not paid all dues owing to the North Carolina State Bar.
9. On May 12, 1998, the North Carolina State Bar withdrew its response and objection to the petition of reinstatement of Willingham upon discovering that Willingham had in fact paid all dues owing to the North Carolina State Bar and that the dues had not been credited to Willingham's account due to an error.

BASED on the foregoing FINDINGS OF FACT, the Secretary makes the following:

CONCLUSIONS OF LAW

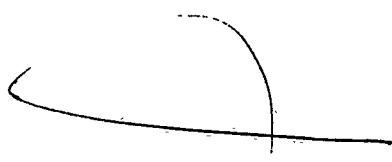
1. The petitioner N. Jerome Willingham has satisfied the requirements set out in 27 NC ADMIN CODE CHAPTER 1 SUBCHAPTER B § .0125, had complied with the conditions of the Discipline and Disability Rules of the North Carolina State Bar since the time of the Disciplinary Hearing Commission's order of December 2, 1996 in 96 BSR 2, and is therefore entitled to reinstatement of his license to practice law in this jurisdiction.

Based on the foregoing FINDINGS OF FACT and CONCLUSIONS OF LAW, the Secretary enters the following:

ORDER OF REINSTATEMENT

1. N. Jerome Willingham is hereby reinstated to the active practice of law in North Carolina as of the date of this order.

This 13th day of May, 1998.


L. Thomas Lunsford II
L. Thomas Lunsford II, Secretary
The North Carolina State Bar